

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION

DOUG HUMPHREY and)
RICHARD DRAKE HUMPHREY,)
Plaintiffs,)
vs.) Case No.: 3:18-CV-05016-BP
JASPER COUNTY, MISSOURI, et al.,)
Defendants.)

**DEFENDANTS' UNOPPOSED MOTION
FOR EXTENSION OF DEADLINE
TO COMPLETE DISCOVERY AND
CONTINUE THE TRIAL DATE AND OTHER DEADLINES**

COME NOW Defendants Webb City, Sjorlund, and Smith, by and through their undersigned counsel of record, and respectfully move this Court to extend the deadline for the completion of discovery, the trial setting, and related deadlines by six (6) weeks. As grounds for their motion, Defendants state and allege to the Court as follows.

1. This lawsuit was initially filed in the Circuit Court of Jasper County, Missouri, on January 19, 2018, and then removed to this Court by Co-Defendants Jasper County and Doennig on February 26, 2018. Doc. No. 1.

2. On April 27, 2018, after being granted leave of Court, Plaintiffs filed their Amended Complaint (Doc. No. 20).

3. Defendants Webb City, Sjorlund, and Smith filed their Answer to the Amended Complaint on May 3, 2018. Doc. No. 23.

4. On May 7, 2018, this Court issued its Scheduling and Trial Order, setting this case for trial on July 8, 2019, in Springfield, Missouri, and establishing January 3, 2019, as the deadline for the completion of all pretrial discovery. Doc. No. 24, pp. 1 and 2.

5. Defendants Jasper County and Doennig were dismissed per stipulation and this Court's Order. Doc. Nos. 35 and 36. As a result, Defendants Webb City, Sjorlund, and Smith are the sole remaining Defendants. .

6. The remaining parties have engaged in discovery, exchanged Rule 26 Disclosures, and have taken depositions. However, discovery is not yet complete, and counsel for all parties have conferred and believe a six-week extension of time to complete discovery will be sufficient to allow this process to be concluded.

7. There have been no prior requests for an extension of any discovery or trial deadlines in this case.

8. Counsel for Plaintiff has been consulted and has no objection to the relief sought herein.

9. It is respectfully submitted the following deadlines be extended as follows:

- a. Jury trial in Springfield, Missouri, sometime on or after August 19, 2019;
- b. Final pretrial conference set on or after August 8, 2019;
- c. Discovery deadline on or after February 14, 2019; and
- d. Dispositive motion deadline on or after March 15, 2019.

10. Pursuant to Fed. R. Civ. P. 6(b)(1)(A), this Court is empowered to grant the relief sought herein.

WHEREFORE, based upon the above and foregoing, Defendants Webb City, Sjorlund, and Smith respectfully pray this Court to issue its Order extending the deadlines and trial setting

as set forth above, together with such other and further relief as this Court deems just and appropriate.

Respectfully submitted,

FISHER, PATTERSON, SAYLER & SMITH, LLP

/s/ David S. Baker

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CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2019, I electronically filed the foregoing with the Clerk of the Court and that an electronic notice of filing and a copy of the foregoing will automatically be sent to the following:

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/s/ David S. Baker

DAVID S. BAKER